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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

JUANITA ELIZABETH HERNANDEZ,	)	Case No.: 1:22-cv-00859-SKO
	)	
Plaintiff,	)	STIPULATION AND UNOPPOSED
	)	MOTION FOR VOLUNTARY REMAND TO
vs.	)	AGENCY PURSUANT TO SENTENCE
	)	FOUR OF 42 U.S.C. § 405(g) AND ENTRY
KILOLO KIJAKAZI,	)	OF JUDGMENT; ORDER
Acting Commissioner of Social Security,	)	(Doc. 20)
	)	
Defendant.	)	

IT IS HEREBY STIPULATED by and between Juanita Elizabeth Hernandez (Plaintiff) and Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their undersigned counsel of record, that the above-entitled action shall be remanded to the United States Social Security Administration (the “Agency”) for further administrative proceedings. Upon remand, the Agency will vacate the Administrative Law Judge’s decision, re-evaluate the evidence, and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final

1 decision of the Commissioner. This stipulation constitutes a remand under the fourth sentence  
2 of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

3 Respectfully submitted,

4 Dated: May 8, 2023

PENA & BROMBERG PLC

5 By: /s/ Jonathan O. Pena

6 JONATHAN O. PENA

7 Attorney for Plaintiff

8 \*Authorized via e-mail

9 Dated: May 8, 2023

PHILLIP A. TALBERT

10 United States Attorney

11 By: /s/ Sharon Lahey

12 SHARON LAHEY

13 Special Assistant United States Attorney

14 Attorneys for Defendant

15 **ORDER**

16 Based upon the parties' Stipulation and Unopposed Motion for Voluntary Remand  
17 Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to  
18 Remand") (Doc. 20), and for cause shown, IT IS ORDERED that the above-captioned action is  
19 remanded to the Agency for further proceedings consistent with the terms of the Stipulation to  
20 Remand.

21 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,  
22 vacating and reversing the final decision of the Commissioner and thereafter close this case.

23  
24 IT IS SO ORDERED.

25 Dated: May 8, 2023

/s/ Sheila K. Oberto

26 UNITED STATES MAGISTRATE JUDGE